DOCUMENT RESUME

ED 266 337 CG 018 817

TITLE	Drinking Age 21: Facts, Myths and Fictions.
INSTITUTION	National Highway Traffic Safety Administration (DOT), Washington, D. C.
REPORT NO	DOT-HS-806-704
PUB DATE	Jan 85
NOTE	28p.
PUB TYPE	Viewpoints (120)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	*Adolescents; Age Differences; *Alcoholic Beverages; *Drinking; Government Role; Legislation; *Traffic Accidents; Traffic Control; Traffic Safety; *Young Adults
IDENTIFIERS	*Drinking Drivers; *Driving Regulations

ABSTRACT

This document presents justification for a legal drinking age of 21 in all states. The introduction reviews the history of the raising and lowering of the drinking age and the rise in highway accidents and deaths resulting from lowered drinking ages. The federal response of mandating a 21-year-old drinking age for states with the threat of loss of some highway funds for non-compliance is reviewed. Among the facts supporting a 21-year-old drinking age are: (1) when the drinking age was lowered to 18, accidents and deaths involving young drivers climbed immediately; (2) alcohol-related automobile accidents are the leading cause of death for 16- to 24-year-olds; (3) states which raised the drinking age to 21 significantly reduced nighttime fatal crashes of the young; and (4) the fatal alcohol-related crash rate for 18- to 20-year-old drivers is three times the rate for older drivers. Eighteen arguments against the 21-year-old drinking age are presented with rebuttals. A reference list is included. (ABL)

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ED266337

US Department
of Transportation

**National Highway
Traffic Safety
Administration**

DOT HS 806 704

JANUARY 1985

DRINKING AGE 21: FACTS, MYTHS AND FICTIONS

CG 018817

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Table of Contents
Page

Introduction.....1
The Facts.....3

Arguments Against 21 Law

Why Punish All For Behavior of Few?.....5
Disastrous Economic Impact.....6
Encourages Drinking In Uncontrolled Environment.....8
Teens Still Able To Get Alcohol.....9
More Use Of Illegal Drugs.....10
Why Stop At 21 - Set Older Age.....11
Tougher Laws For DWI vs. 21.....12
18 - Old Enough For Military, Why Not Beer?.....13
Encourage Lawbreaking By Young.....14
Education Programs vs. 21.....15
Some States Don't Have Teen DWI Problem.....16
Does 21 Law Really Save Lives?.....17
Public Doesn't Want A 21 Law.....19
Alcohol Will Become More Attractive When Illegal.....20
Why Not Allow Beer And Wine?.....21
Why Not Allow 'Three-Two' Beer?.....22
You Can't Legislate Morality.....23
18 - 20 Year Olds Treated Like Children.....24

References.....25

INTRODUCTION

Not so long ago, it was commonly accepted in America that a person had to be at least twenty-one years old to purchase alcohol legally. Only two states had set their purchasing age below 21. Then things changed. In the early 1970's, a constitutional amendment granted 18 year olds the right to vote. At the same time, many 18, 19 and 20 year olds were fighting -- and dying -- in Viet Nam. It just didn't make sense, to many people young and old, to impose adult responsibilities (like military service) while denying adult privileges (like drinking). State after State took action to "correct" the "inconsistency." Within just a few years, the legal drinking age was 18 in most states.

What happened then was tragic. Motor vehicle accidents and deaths, already far too numerous, soared. Young drivers--those same 18, 19 and 20 year olds--began to injure and kill themselves, their friends and innocent strangers at an alarming rate. Without a doubt, alcohol was principally at fault. (14) A most significant and obvious increase in deaths and injuries following the lowering of the drinking age came from nighttime accidents involving single vehicles driven by young males: (1) those kinds of crashes have long been known to have high incidence of alcohol involvement. Research studies consistently demonstrated that a lowered legal drinking age leads directly to an enormous increase in alcohol impaired driving by young people; and, to much more suffering, injury and death. Any police officer who had occasion to investigate accidents before and after the change in the drinking age could tell us the same thing.

Faced with this carnage, our legislatures started to reverse the trend. Since the mid 70's, no State has lowered its drinking age. Many have since raised the age, by a year or two in some instances and all the way back to 21 in others. But not enough have yet gone far enough. A minimum legal drinking age of 21 is still the exception, not the rule, in this country.

Why is this so? Given the facts, why haven't all States acted to return to the 21 standard?

We Americans quite rightly view ourselves with pride as fair minded, self reliant people who love liberty. Our instinctive reaction is to grant rights, privileges and responsibilities. We deny them, generally, with distaste. Issues of individual rights grasp Americans with particularly strong emotional force.

The drinking age is one such issue. Fair minded and well intentioned people can be and often are caught up in the emotional arguments and lose sight of the basic fact: that too many people kill themselves and others when they drive after drinking. In trying to reach these people, to change their perceptions, it is not effective to just keep restating the facts. We have to deal with the arguments, in as rational and calm a fashion as possible.

This paper is intended to help do so. We have reviewed hundreds of hours of testimony before State legislatures, reams of editorial opinion and voluminous research reports in an effort to distill the most commonly heard arguments against the 21 year old drinking age. Many of these are myths or misperceptions of fact. Some are outright fictions. Some are sincere concerns for rights and liberties that are no less valid simply because they compete with other, equally valid rights. All are views strongly held by many people, the vast majority of whom are honestly motivated by and interested in the freedom and well being of young Americans. We who see the drinking age 21 as an essential step toward preserving that freedom and well being need to treat our opponents and their arguments with respect. Legitimate concerns and sincere questions deserve respectful, logical responses, if we are to succeed in convincing others of the rightness of our position.

We hope that this paper will help support your efforts to raise the minimum drinking age. On July 17, 1984, President Reagan signed legislation encouraging States to establish a minimum drinking age of 21. This law, which withholds a portion of highway construction funds for States who do not enact such a law by October 1, 1986, is seen by the President as "one simple measure that will save thousands of young lives" and will "take the battle to stop drunken driving one crucial step further." A major reason that the President signed this law, after a great deal of thought, was the need to eliminate the continuing cross border problem--where our youth can drive from one State with a lower drinking age and purchase alcoholic beverages otherwise prohibited to them. Some of these youth drink to excess and then drive back into their home State -- tragically killing themselves or other innocent victims.

Although an age 21 law will not solve the nation's alcohol-related driving problem, it can save hundreds of lives yearly.

THE FACTS

Before addressing the arguments raised by opponents of the 21 drinking age, a brief recapitulation of the basic facts is in order.

- o Fact #1 — When the laws were changed, lowering the drinking/purchasing age from 21 to 18, accidents, deaths and injuries involving young drivers increased steeply and immediately.(1)

  (In Michigan, the number of 18-20 year old drivers involved in fatal crashes increased 54% in the first year following the lowered drinking age. In Massachusetts, the corresponding figure was 100%).

- o Fact #2 — Alcohol-related automobile accidents are the leading cause of death for Americans between 16 and 24 years old.

- o Fact #3 — Sixteen percent of the people who die in alcohol-related crashes are teenagers. An average of eleven American teenagers die in alcohol-related crashes <u>everyday</u>.(19)

- o Fact #4 — 18, 19 and 20 year olds make up only 7% of licensed drivers. But they account for 16% of the drivers in alcohol-related crashes.(3)

- o Fact #5 — The Presidential Commission on Drunk Driving reports that states that raised the legal drinking age to 21 experienced an average annual reduction of 28% in nighttime fatal crashes involving drivers of the affected ages.(16)

- o Fact #6 — When a State sets its drinking age at 21, many lives are saved: young lives as well as older lives.(11)

- o Fact #7 — Drivers between 18 and 20 years old have fatal alcohol-related crash rates per mile driven that are <u>three</u> times those of older drivers.(3)

CONCLUSION:

Every State definitely needs to set its drinking age at 21. That is an essential step toward protecting its citizens of <u>all</u> ages.

Argument: "Not all young people drive drunk, or get into other problems with alcohol. Why should we punish a whole class of responsible young adults because of the irresponsible attitudes and behaviors of a few?"

Response

The entire process of human growth and maturation is a sequence of gradually increasing rights, privileges and responsibilities. As children grow, they are gradually allowed to do more and more of the things that previously were denied to them. Some of the denial and bestowal of rights, privileges and responsibilities is controlled by parents, some by schools, and some by other organizations; and, some is controlled by law.

Drinking is one of those behaviors that society seems to agree should be denied to the "young" and permitted to those who are "old enough". There doesn't seem to be any point in debating whether drinking is a right, a privilege or a responsibility. Like most human behaviors, it probably is a bit of all three. But that doesn't mean that it shouldn't be regulated, and specifically be regulated by age. The only question is, at what age should the behavior be permitted?

Setting the legal drinking age at 21 can be based solidly and logically on actual drinking driving performance. During 1982, drivers aged 18-20 accounted for less than 7% of all vehicle miles travelled in America, but they were involved as drivers in 16% of alcohol-related accidents.(3) To put this in clearest terms: 18-20 year old drivers are about 3 times more likely than older drivers to become involved in alcohol-related fatal crashes. And, that is despite the fact that it already is illegal for them to drink in about nineteen States. In contrast, drivers who are 21-24 years old (all of whom can drink legally) are twice as likely as older drivers to get involved in an alcohol-related crash.

Drivers under 21 years of age, as a group, have shown an inability to handle alcohol in a reasonable safe fashion. It is no more "punishment" to require them to wait until age 21 to drink legally than it is "punishment" to deny a 13 year old a driver's license or to keep a 6 year old from using matches. It is simply a recognition of a need for additional maturity before the right, privilege and responsibility of drinking can safely be exercised.

Argument: "Wouldn't the economic impact be disastrous? If 18-20 year olds can't drink, wouldn't many bars, taverns and restaurants close, and wouldn't government lose millions of tax revenues? Also, many young people work in bars and restaurants; wouldn't they lose their jobs?"

Response

Very few businesses in this country are forced to depend for their survival on the sale of alcoholic beverages to 18-20 year olds. To be sure, many bars, liquor stores and restaurants cater primarily to young clientel. But if the drinking age were raised, nothing would prohibit them from refocusing their marketing, either to an older crowd or to providing alcohol-free entertainment for their current clientel. And, the notion that the State should maintain a low drinking age to protect the interests of the youth alcohol market is a bit disquieting. Should the personal economic concerns of those whose business interests require encouraging young people to drink take precedence over the safety concerns of society at large? Not only should business interests not conflict with the raising of the drinking age, but the cooperation of the alcohol producing and serving industries should be enlisted to ensure greater compliance with the law.

The claim that the 21 drinking age will cause the State to lose enormous tax revenues is interesting. This claim is often raised by some of the very people who also insist that the majority of 18-20 year olds are light, social drinkers who consume relatively little of the alcohol sold. Well, if they really don't drink very much, then the State doesn't stand to lose very much tax revenue. On the other hand, if the drinking done by young people really does produce a significant income for the State, then perhaps the State is producing a generation of young alcoholics; in that case, even more drastic steps to regulate alcohol should be taken immediately.

Perhaps the simplest response to these concerns is the observation that, in States that have adopted the 21 drinking age, few (if any) taverns or restaurants have closed their doors and very little tax revenue has been lost. And surely, even if a State did lose some tax revenue, that would be more than offset by the economic savings resulting from the accidents that don't happen.

Finally, there is no reason why a 21 drinking age should cause the young employees of bars and restaurants to lose their jobs. The State can certainly enact legislation permitting 18 years olds to sell and serve alcoholic beverages, even though they can't consume them.

The State of California has had a drinking age of 21 since 1933. There is no evidence that 18-20 year olds cannot get jobs in bars and restaurants or that the economy of the State is worse than States that have lower drinking ages.

In addition, the sponsors and cosponsors of the minimum drinking age legislation made it very clear it was not their intent to require any State to set minimum age limits for restaurants or tavern employees who take alcoholic beverage orders, check identification, or mix, serve, or receive payment for alcoholic beverages. The term "public possession," in other words, does not pertain to such employees who are handling alcoholic beverages in the course of their jobs.(21)

Argument: "Right now, the law allows young people to drink in the controlled environment of licensed liquor establishments. If the drinking age is raised, we'll just drive them to drink in the uncontrolled environment of cruising cars, private homes, parks, beaches, and so forth. Won't that cause more harm than good?"

Response

The notion that bars, taverns, etc., provide a "controlled environment" for young drinkers seems more fanciful than factual. In one study of bar patrons in a jurisdiction with an 18 drinking age, one out of seven drivers leaving the bars on Friday and Saturday evenings had blood alcohol concentrations of 0.10% or more: the "legal limit" for driving under the influence.(8) Slightly more than half of the drivers in that survey were 18-20 year olds. It seems doubtful that an establishment whose business interest depends on the sale of alcoholic beverages is best prepared to insure the safe, regulated consumption of alcohol.

Certainly, it is valid to observe that young people (and others) consume a good deal of alcohol outside of licensed liquor establishments. But a lower drinking age doesn't discourage consumption in so-called "uncontrolled" environments; in fact, it encourages that practice. Where teenagers can drink legally, they purchase the majority of their alcoholic beverages at liquor stores and beer/wine shops, not in bars or restaurants. The reason is obvious: the packaged alcoholic beverages cost less, per serving. Then, that packaged alcohol is consumed in homes, in cars, in parks, and wherever. Such "uncontrolled" drinking by young people is distinctly more prevalent in States that allow them to purchase the beverages legally.

With the drinking age set at 21, young people will drink less, and will drive after drinking less often, in all types of environments.

Arguments: "Don't we know by now that Prohibition doesn't work? Don't we realize that, even if we were to raise the drinking age, teenagers will still be able to get alcohol?"

Response

Setting the drinking age at 21 isn't Prohibition, any more than setting the age at 18, 19 or 20 would be Prohibition. Rather, the drinking age establishes a regulation that controls who can legally access alcohol.

Certainly, no regulation works perfectly. Without doubt, once the 21 law is enacted, some 18-20 year olds will obtain alcoholic beverages some of the time. But by the same token, the current lower drinking age isn't foolproof, either. For example, if the age is set at 18, some 15-17 year olds undoubtedly manage to acquire alcohol (usually from their older brothers, sisters and friends). Setting the age higher will help to stem the "trickle down" of alcohol to those lower age groups.

Although this type of regulation isn't perfect, it does work to some degree. As an analogy, consider the laws that currently prohibit and regulate marijuana. Certainly, many people manage to purchase and smoke marijuana despite those laws. But, does anyone seriously doubt, if those laws were repealed, that marijuana would be smoked more than presently is the case?

One reason why the 21 drinking age does work to a reasonable degree is that most people are reasonably law abiding. And, the law can have positive "spin offs" that will help to make it more effective. For example, the law will influence many parents to regulate the alcohol consumption of their children age 18-20 years.

Argument: "If we deny the young people legal access to alcohol, won't they turn to illegal drugs?"

Response

It is interesting to observe that this argument often is raised by some of the same people who also insist that alcohol will still be readily available to teenagers when the drinking age is set at 21. Thus, some people seem to fear that, at one and the same time, alcohol will be so available that the law can't possibly work, and so unavailable that there will be a massive increase in drug abuse.

A sort of "Drug-Domino Theory" has often been advanced, to the effect that drinking alcohol leads to marijuana, which leads to cocaine, which leads to heroin, etc. This argument seems to be a "reverse-Domino Theory," i.e., that non-use of one drug (alcohol) will cause increased use of others.

Research indicates there may be sequential stages of involvement with drugs: beer or wine, or both; cigarettes or hard liquor; marijuana; and other illicit drugs. One study found that 27 percent of the high school students who smoke cigarettes and drink alcohol progress to marijuana use within a 5 to 6 month period, while only two percent of those who have not used beer, wine, and cigarettes do so. While it is not necessarily true that those who drink will begin to smoke cigarettes or take other drugs, it may be more likely that those young people who do not drink beer or smoke cigarettes will not try other drugs. (17) (18)

Perhaps a more practical concern would be to question why today's society hasn't seemed able to provide constructive, alcohol and other drug-free entertainment and recreational opportunities for young people. The choice shouldn't have to be between alcohol and other drugs. Neither is it reasonable to keep the drinking age unsafely low in a vain attempt to compensate for society's failure to provide drug-free options for recreation.

Argument: "Why stop at 21? If we're really concerned about alcohol abuse and drunk driving, why not go all the way and set the drinking age at 25? Or 45? Or 85?"

Response

This usually is advanced as a "reductio ad absurdam" argument, but sometimes it is voiced by people who sincerely would like to see an even higher drinking age established. Indeed, much merit could be seen in a drinking age of 25. People between 21 and 24, after all, are significantly overrepresented in alcohol-related crashes (although not quite as overrepresented as are 18-20 year olds).[2,3]

There are some qualitative differences between 18-20 year olds and their slightly older friends, and these differences support the selection of 21 as a reasonable legal drinking age.[9] Compared to the 21-and-older groups, 18-20 year old drivers:

- o do proportionately more of their driving at night, when drinking-driving is more likely to occur;
- o more often travel with passengers when driving after drinking, and thus expose more people to risk;
- o more often combine risk taking (e.g., excessive speed) with alcohol;
- o have significantly more accident involvements at relatively low blood alcohol levels (e.g., 0.03-0.06%)[15]; and
- o are simply, and significantly, less mature.

In all honesty, however, the selection of 21 as the proposed minimum drinking age is dictated largely by pragmatism. It is unlikely that a higher age would receive the public and political support necessary to secure its enactment.

The 21 drinking age thus is a reasonable compromise, based on such factors as the known accident risk, evolving experience, responsibility and maturity, life styles, and practical realities.

Argument: "Aren't we missing the point with this drinking age law? If we really want to deter drunk driving, let's pass tougher drunk driving laws, with strict penalties, and enforce them to the limit for all violators, regardless of their age!"

Response

Is there any reason why we should have to choose between the two? There isn't anything in the 21 year old drinking law that prevents us from enacting and enforcing strict drunk driving laws. The drinking age law and strict drunk driving laws make important--but different--contributions to public safety. We need both.

Drunk driving laws apply to everyone. Those laws are based in the common-sense awareness of the sad fact that anyone who drinks, either legally or illegally, conceivably could become unacceptably dangerous behind the wheel of a motor vehicle. Those laws in no way impinge upon the right or privilege of drinking. They simply define the degree of alcoholic impairment that causes driving to become illegal.

The drinking age law applies only to those younger than 21. That law, too, is based in a common-sense awareness of some sad facts. But these are the sad facts - that young people do not handle drinking responsibly, and too often their irresponsible use of alcohol causes great harm to themselves and to others.

The 21 year old drinking law is not intended to solve the total drunk driving problem. It merely recognizes the need to provide special protection to a segment of society that is especially susceptible to the risks of driving after drinking; and, it recognizes the need to protect everyone else from them. People between the ages of 18 and 20 are so dramatically overrepresented in alcohol-related crashes that special measures must be focused on them. Those special youth-focused measures certainly don't eliminate the need for strict, across-the-board enforcement of drunk driving. But drunk driving laws also don't eliminate the need for selecting a sane legal drinking age.

Argument: "At 18, a young adult is old enough to fight, and maybe die, for his or her country. They are old enough to get married, sign contracts, and engage in many other adult behaviors. Shouldn't they be considered old enough to have a glass of beer?"

Response

Our society has a long tradition of conferring different rights, privileges and responsibilities at different ages. Abiding by a combination of laws and parental regulations, a person might experience the following "rites (and rights) of passage":

- age 7 --- entering school
- age 12 --- obtaining a hunting license
- age 16 --- obtaining a license to drive
- age 17 --- choosing a college
- age 18 --- voting; serving in the military
- age 25 --- serving in the U.S. House of Representatives
- age 30 --- serving in the U.S. Senate
- age 35 --- seeking the Presidency of the United States.

There really is nothing inconsistent in saying that a person may be ready to accept and exercise responsibly a particular right or privilege at one age, but may not be qualified for a different right or privilege until a later age. Neither is it unfair to say that the person in question may not be the best judge of whether he or she is ready for some new privilege. How many 18 year olds, looking back, would seriously argue that 12 year olds should be licensed to drive?

The problem, for most people, becomes most acute when society demands that an individual carry out some civic responsibility (such as military service at age 18) while denying that same individual a right (e.g., to drink). But is this really inconsistent? Isn't it logical to say that an 18 year old may be sufficiently mature to carry out his or her service obligation, but may not yet be ready to handle drinking responsibly After all, young people entering military service receive extensive training by experts, and live in a well-regulated and disciplined environment. It is not at all comparable to purchasing and consuming a six-pack of beer.

The proper age for entering military service is a separate question. Society may conclude that 18 is old enough to risk death in defense of the nation. But does that mean that we also have to expose this age group to the risks of drinking and driving? Surely, 20 is far too young to die senselessly in a drunk driving crash.(4)

Argument: "If we raise the drinking age, won't we simply be encouraging our young people to become lawbreakers?"

Response

In a sense, passing law "creates" lawbreakers: if there were no law against speeding, then speeders wouldn't be lawbreakers. But the test of a law is not simply whether or not someone will break it. Rather, the value of the law lies in whether it regulates actions that need to be regulated, and whether the regulation succeeds in protecting society in general and individuals in particular.

Where the 21 year old drinking law has been passed, lives have been saved and continue to be saved: hundreds of lives, every year. Clearly, enough people obey the law enough of the time to benefit society enormously. Most people, after all, are reasonably law abiding. If all States would adopt the law, hundreds more lives would be saved, every year.

There are other laws that protect society without achieving one hundred percent compliance. Traffic laws probably are broken more often than any other kind of law. But can anyone seriously argue that we'd be as safe if speed limits or other traffic laws were removed?

Argument: "I fully agree that there is too much driving after drinking, by all people, young and old. But why do we have to resort to a new law? Can't we accomplish more by getting good alcohol education programs into our schools?"

Response

Once again, who says that we have to choose between the two? There is nothing incompatible between a 21 law and effective alcohol education programs. In fact, a properly designed educational program that clarifies the facts and rationale between the 21 law could be enormously helpful in fostering compliance with the law. But an educational program definitely does not eliminate the need for the law.

Drinking-driving education programs do have an important public safety role to play, and they have produced some noteworthy successes in the past. Programs developed by NHTSA, the American Automobile Association, and other agencies have been shown to be effective in improving young peoples' knowledge about drinking-driving risks, and in promoting better attitudes about alcohol and traffic safety. At least one such program has even succeeded in helping young people to become willing and able to intervene to keep their friends from driving drunk. But no educational program, by itself, has ever proven effective in reducing alcohol-related crashes.

There is a real pay-off to be gained from alcohol education in our schools. But it is not the same payoff that the 21 law promises. We need both the law and the educational programs.

Argument: "Maybe other States need the 21 law, but this State is different. We're unique. We don't have a big drunk driving problem among our young people. We don't need to raise our drinking age."

Response

It is true that no two States are exactly alike. But there are some things that are the same everywhere:

- Young people, everywhere on Earth, exhibit sharp and substantial impairment of driving ability at even low doses of alcohol.
- Teenagers, in every State, are vastly overrepresented in alcohol-related crashes.
- Throughout the 20th Century, and across America, every age group has enjoyed an increase in its life expectancy except one -- 16 to 24 year olds. The reason is drinking and driving.

There is simply no State or community in this nation where lives won't be saved and injuries won't be avoided if the drinking age is raised to 21.

If your State borders other States, or if tourism is an important industry to you, you have an additional, special responsibility: stemming the tide of young people from other States who drink and drive within your borders. When your legal drinking age is lower than other States', you become a "drinking oasis" for the young. Your 18-20 year old visitors are sorely tempted to take advantage of your permissive law to drink more heavily than usual, and often to considerable excess. Then, they drive impaired on your streets and endanger your citizens. And, if they drive back home, they endanger your neighbors.

Pennsylvania and New Jersey, each with a 21 drinking age, border New York, where the drinking age is 19. New York data shows that 39 percent of the New Jersey drivers involved in alcohol-related crashes in New York border counties are under 21, and 49 percent of the similarly involved Pennsylvania drivers are under 21.[20]

No State is immune to the severe risks of drinking-driving by young people. All States will benefit from the 21 drinking age.

Argument: "You keep saying that the 21 law saves lives. But do we really know that? Some reseachers say the law works, but other say it doesn't. People claim that you can always lie with statistics. What should we believe?"

Response

It is certainly possible to manipulate numbers, but the facts are clear to anyone who is willing to see them:

- When the drinking age was raised in Illinois, there was nearly a nine percent reduction in single vehicle nighttime crashes involving young male drivers;(5)
- A fifteen percent reduction in similar crashes occurred in Massachusetts;(13)
- There was nearly a twenty percent reduction in Maine;(6)
- Michigan experienced nearly a thirty-one percent reduction.(13)

Among those States that have raised the drinking age to 21, there has been an average reduction of 28% in nighttime fatal crashes involving vehicles driven by drivers of the affected ages.

Why do we keep talking about these "nighttime, single vehicle, male driver" accidents? Why can't we just give a simple, straight-forward answer to the question: does the 21 law reduce alcohol-related crashes?

As strange as it may seem, it is usually difficult--and often impossible--to determine whether a particular accident is alcohol-related. Many "fender-bender" accidents are never investigated by police officers; the involved drivers simply mail in citizens' accident reports. In more severe accidents, the officers usually are too busy securing medical help and providing other emergency services to conduct in-depth investigations for alcohol. Unless a driver dies in the accident, or appears so obviously intoxicated that he or she is arrested on the spot, a chemical test for alcohol typically isn't taken. Thus, only a relative handful of accidents are ever known, definitely, to be alcohol-related. For the vast majority of accidents, the information simply isn't available.

A well-accepted research method for overcoming the lack of information is to analyze the frequency of nighttime, single vehicle crashes involving male drivers. Based on very extensive, and expensive, prior studies, it has been shown that those kinds of crashes usually do involve alcohol: as much as 65 percent of the time or more. Thus, if some action (such as a 21 year old drinking law) is affecting the frequency of alcohol-related crashes, the impact of that action is likely to show up in an examination of those nighttime, single vehicle, male driver crashes.

Using sophisticated statistical analytic techniques, researchers consistently have shown that, when a State adopts the 21 drinking law, nighttime single vehicle crashes involving 18-20 year old male drivers decrease substantially. That is powerful evidence that the 21 law works.

True, other researchers have limited their studies only to the relatively few accidents in which chemical tests for alcohol were taken. Sometimes, they have failed to find statistically significant changes. But, that is simply a reflection of the lack of sophistication and precision in their research methods.

Consider this analogy: you might ask two different people to examine two large stones, and determine which is the heavier. One person might simply lift each stone, heft it, and try to get the "feel" of its weight; not too surprisingly, that person might report that he or she can't tell if there is a weight difference. The other person might place each stone on a scale, and tell you that one weighs four pounds more than the other. Which person do you feel would have more credibility?

The Insurance Institute for Highway Safety made an estimate based upon 1980 fatalities that if all States adopted the 21 law, then each year 730 fewer young drivers would be involved in nighttime fatal crashes.(15)

A more recent NHTSA analysis indicates that if all States that have not already done so raise their drinking age to 21, about 600 people will live each year who would otherwise die in tragic crashes. If one includes lives already being saved in States that passed 21 drinking age laws within the past decade, more than 1000 lives per year will be saved due to 21 drinking age laws.

Argument: "The public doesn't want a 21 year old drinking law. Why should we pass a law that the people won't support?"

Response

Who says that the public doesn't support the 21 law? In a 1983 Gallup Poll, 77% of respondents favored making 21 the legal minimum drinking age for all alcoholic beverages. Perhaps more impressive is the fact that 58% of the 18-20 year olds in that survey also favored the 21 law!

Official support has been voiced formally for the 21 law by the National Safety Council; the International Association of Chiefs of Police; the Presidential Commission on Drunk Driving; the American Automobile Association; Mothers Against Drunk Driving (MADD); the "Remove the Intoxicated Driver" organization (RID); several major insurance companies; and many other organizations. Also, over the past two years, a number of States have raised their legal minimum drinking age to 21.

Clearly, a solid majority of Americans see this law as something absolutely needed to protect them and the people they love. It is time for our legislatures to act to deliver that protection.

Argument: "If we make drinking illegal for young people, alcohol will become a 'forbidden fruit' for them; and much more attractive to them as a result."

Response

Setting the drinking age at 21 may or may not add to the attractiveness of obtaining alcoholic beverages. The issue is not its attractiveness, but rather its accessibility. By legislating a uniform drinking age, and enforcing that law, alcoholic beverages will be less accessible and, therefore, consumed by fewer young people. The incidence of drinking and driving, and the resultant crashes, will be greatly reduced.

More positively, we can dispel the "forbidden fruit" hypothesis by developing effective educational programs designed to counteract the mystique of alcohol consumption, educate our youth about the realities of excessive use in terms of health issues and highway safety, and inform them of the criminal process in which they may become involved if caught for illegally obtaining or consuming alcoholic beverages. Educating our young people also will enhance their understanding of the need for the uniform drinking age legislation.

Argument: "Why can't we at least let the young people drink beer and wine legally? We'll keep them away from the 'hard stuff' until they're 21."

Response

Alcohol is a drug, regardless of the particular beverage consumed. By using the term "hard stuff," we imply that beer and wine are "soft" drinks. However, nothing is further from the truth. A 12-ounce beer or a 4-ounce glass of wine contain almost exactly the same amount of alcohol as a "shot" (1 1/2 ounces) of whiskey and, in fact, the beer contains slightly more. A six pack of beer contains more "punch" than a half-pint of whiskey and, with it, a greater degrees of driving impairment.

Beer is traditionally the alcoholic beverage of choice among the great majority of teens who drink.(10) It is less expensive, convenient--it is self-contained and there is no mixing--and it can be purchased already refrigerated. Even if whiskey were legally available, young people will usually purchase beer. Additionally, they have usually been drinking beer when involved in alcohol-related crashes.

By restricting alcohol use to beer and wine for our young people, we do not enhance public safety but, rather, defeat our own purpose.

Argument: "Well, at least let's allow them to buy "THREE-TWO" beer. That certainly can't get them in trouble."

Response

So-called "three-two" beer certainly can get our young people in trouble. "Three-two" beer is so named because it contains 3.2% alcohol by volume. "Regular" beer contains no more than 5% alcohol. "Three-two" beer, then, is more than 60% the alcoholic strength of regular beer. Translating that into levels of consumption, a six-pack of the "three-two" beer is equivalent to four cans of "regular" beer, or six ounces of whiskey (approximately four drinks). Drinking that amount is more than enough to impair anyone's driving ability. And when it comes down to the bottom line, impairment is impairment, regardless of the beverage consumed.

Additionally, by allowing the legal consumption of the "three-two" beer, we would be, in effect, promoting the concept that it is, indeed, a "safe" alternative for our young people. But that is definitely not the case. "Three-two" beer should not be made available because, again, we would be defeating our purposes of reducing the incidence of drinking and driving by our youth.

Argument: "You can't legislate morality!"

Response

That's probably true. But the 21 law doesn't try to legislate personal morality. It is strictly intended to protect everyone from the harmful effects of alcohol-impaired driving by a segment of society that is especially prone to those effects.

For the most part, we Americans are loathe to legislate against purely personal behavior. Even if we personally find some practice distasteful, as long as it doesn't hurt anyone else, most of us don't believe it should be made illegal.

But very often, the exercise of one person's "rights" conceivably can conflict with everyone else's "rights." And then it may be necessary to step in with reasonable and fair legislation.

A familiar way of expressing the conflict between individual rights and societal rights is "my right to swing my fist ends one quarter inch from anyone else's nose." Swinging my fist, in and of itself, may not be inherently evil, or immoral. As long as I never swing at anyone else, and never threaten anyone with my fist, society probably will tolerate my fist-swinging to my heart's content. But if I often make contact with noses, then society has the clear responsibility to step in.

It is not at all a question of whether it is immoral for 18-20 year olds to drink. The bald fact is that, far too often to tolerate, their alcohol consumption leads to severe physical harm, not only to the drinkers themselves but to many others.

Argument: "The 21 law treats 18-20 year olds as children. If we treat people as children, they'll behave like children. But if we give them the legal responsibility for their own drinking behavior, it will encourage them to act responsibly."

Response

The 21 law doesn't treat 18-20 year olds as children. It treats them as what they are: people evolving into adulthood, who can handle many of the responsibilities, rights and privileges of adults, but not all of them.

Responsibilities, rights and privileges are withheld from young people to protect them and everyone else from the abuse of mishandling of those responsibilities, rights and privileges. Gradually, as young people mature, these rights are granted to them. But they are not granted all at once. They are granted--one at a time, or in small clusters--when people reach an age at which it is reasonable to expect that the typical person can handle them.

Undoubtedly, some 18-20 year olds have the ability to make educated choices about drinking. Similarly, there are some 13 year olds who would be able to handle driving safely. But too many of those age groups simply aren't ready to exercise those rights and privileges.

The evidence is clear and compelling: at age 18, 19 or 20, too many people can't handle the right to drink. By age 21, enough of them can handle it sufficiently well to justify its bestowal.

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* U.S. GOVERNMENT PRINTING OFFICE: 1985-461-832:36712